

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

FIRST REGULAR SESSION  
FIFTY-SEVENTH LEGISLATURE

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**EIGHTY-FIFTH LEGISLATIVE DAY**  
**MONDAY, MARCH 31, 2003**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9 a.m.

Roll call showed all members present except Senator McWilliams, absent and formally excused by the Chair; and Senators Brandt, Burkett, Cameron, Compton, Malepeai, Noble, Noh, Pearce, Stennett, and Sweet, absent and excused.

Prayer was offered by Chaplain Gene Arnold.

The Pledge of Allegiance was led by Stephanie Soltzak, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The President assumed the Chair.

Senators Cameron, Malepeai, and Stennett were recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 28, 2003, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 28, 2003

The JUDICIARY AND RULES Committee reports that **S 1002**, as amended, **S 1010**, as amended, **S 1028**, **S 1079**, **S 1082**, **S 1097**, **S 1108**, as amended, as amended, **S 1119**, **S 1121**, **S 1127**, **S 1137**, **S 1139**, and **S 1166** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1002**, as amended, **S 1010**, as amended, **S 1028**, **S 1079**, **S 1082**, **S 1097**, **S 1108**, as amended, as amended, **S 1119**, **S 1121**, **S 1127**, **S 1137**, **S 1139**, and **S 1166** and ordered them transmitted to the House for the signature of the Speaker.

March 28, 2003

The JUDICIARY AND RULES Committee reports that Enrolled **S 1093**, **S 1123**, **S 1134**, **S 1154**, **S 1155**, **S 1156**, **S 1157**, **S 1158**, **S 1159**, and **S 1161** were delivered to the Office of the Governor at 2:15 p.m., March 28, 2003.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 28, 2003

The EDUCATION Committee reports out **SCR 115** with the recommendation that it do pass.

SCHROEDER, Chairman

**SCR 115** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 28, 2003

The RESOURCES AND ENVIRONMENT Committee reports out **H 83** with the recommendation that it do pass, accompanied by a Statement of Legislative Intent.

NOH, Chairman

**H 83** was filed for second reading.

March 28, 2003

The STATE AFFAIRS Committee reports out **S 1175**, **H 363**, and **H 382** with the recommendation that they do pass.

SORENSEN, Chairman

**S 1175**, **H 363**, and **H 382** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

### Messages from the Governor

Senators Brandt and Sweet were recorded present at this order of business.

March 31, 2003

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Barbara J. Roberts of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada County, State of Idaho. This

appointment will be effective March 31, 2003, and will continue until such time as Senator Mike Burkett is able to resume his duties.

Sincerely,  
/s/ Dirk Kempthorne  
Governor

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO  
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that pursuant to the provisions of Section 59-917, *Idaho Code*, Mike Burkett, State Senator, District 19, Ada County, State of Idaho, has nominated Barbara J. Roberts of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada County.

NOW, THEREFORE, I, DIRK KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Barbara J. Roberts, to the office of State Senator, District 19, for a term commencing on March 31, 2003, and continuing until such time as Senator Mike Burkett is able to resume his duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this twenty-sixth day of March, in the year of our Lord Two thousand and three and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ BY THE GOVERNOR DIRK KEMPTHORNE  
/s/ SECRETARY OF STATE BEN YSURSA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Barbara J. Roberts, and she was recorded present at this order of business.

March 28, 2003

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1140, S 1141, S 1142, S 1145, S 1146, S 1147**

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 28, 2003

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1147**

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

March 28, 2003

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I am returning to you, without my approval, disapproved and vetoed, the following Senate Bill to wit:

**S 1144**

within the time limited by law, the same having arrived in the Office of the Governor at the hour of 2:45 p.m. on March 24, 2003.

# I. INTRODUCTION

**Senate Bill 1144** represents a reduction in general fund support of \$329, 200 (7.1%) to the Commission on Aging for Fiscal Year 2004. This legislation recognizes that without a general fund revenue increase, there are not sufficient funds to support basic services that our citizens need and expect. Specifically, this legislation would result in reduced or eliminated services for Idaho's senior citizens, in some cases restricting their ability to live independently, and limited their access to important services that facilitate their proper care.

It is also important to recognize that the Commission on Aging has been a full partner in reducing the cost of government over the past two years. In FY02, the Commission absorbed a General Fund holdback of \$199,200. In the current fiscal year, the Commission received a base reduction of \$149,200 and an additional 3.5% holdback of \$162,100. In all, the Commission has reduced its General Fund appropriation by more than 10% from its original FY02 appropriation.

## II. DISCUSSION

In my State of the State Address, I said, “we must ensure the health and well being of our veterans, senior citizens, the disabled and the most vulnerable.” I emphasized that I would not accept cuts that cripple the essential services Idahoans expect and deserve.

While I appreciate the desire of the Legislature to “cut the fat” out of state government, these programs that help senior citizens to live nobly and independently in their own homes do not represent wasteful government. These are essential services that are vitally important to the health and quality of life of our elderly Idahoans.

The following are some of my objections to **Senate Bill 1144**.

### 1. Home Delivered Meals

Many senior citizens find themselves homebound and unable to prepare their own meals. With the support of state general funds, these homebound seniors receive up to 7 nutritious fresh or frozen meals per week. With supplemental meals provided by family and friends, this program allows these seniors to remain in their homes and avoid the costly care of a nursing home.

The cuts contained in this legislation would preclude 1,000 senior citizens from receiving this service.

### 2. Case Management

Assuring that seniors get the appropriate care at the appropriate time is essential to maintaining their health and quality of life. Case management is necessary to assess the needs of seniors and to determine which resources are available to meet those needs and what strategies might be implemented to help the individual remain independent.

**Senate Bill 1144** would reduce resources and cause 1,700 elderly Idahoans to not receive needed case management.

### 3. Transportation

Transportation services funded by the State make it possible for many senior citizens to travel to and from medical appointments and necessary errands, such as grocery shopping. Additionally, this service allows many seniors to join with others at congregate meal sites where they receive hot meals, minor health services, and important information on programs and services. Additionally, these sites give elderly Idahoans an opportunity to interact with their peers and socialize.

Transportation services are an important part in maintaining the dignity and independence of many Idaho senior citizens. This legislation would reduce transportation services by more than 20,000 rides, impacting thousands of seniors who depend on the service.

### 4. Homemaker

Homebound seniors who are frail often need assistance in keeping their homes clean, laundry done, and bedding changed to

remain in their own home. Where families and friends are unable to provide this service, the State of Idaho will provide some assistance through general funds to ensure that the homes of these seniors remain livable.

**Senate Bill 1144** would prevent as many as 500 seniors, who choose to remain in their homes, from receiving this service.

### 5. Respite

Idaho is fortunate to have caring and loving families who provide significant care for their aging parents and grandparents. Respite services provide some relief to these caregivers from the enormous stress of 24-hour care for their elderly loved one, usually a spouse. Respite care encourages families who opt to take care of their own aging loved ones by occasionally giving them needed support and relief from their efforts. This service may allow some families to continue caring for their loved ones in their own home instead of placing them in a costly nursing home or 24-hour care facility.

The reductions outlined in this bill would keep 550 elderly Idahoans from accessing this program.

## III. CONCLUSION

I object to cuts that would hurt senior citizens. This bill jeopardizes programs like the home delivery of meals, transportation to medical appointments, and care for the homebound. It also would eliminate case management efforts that ensure that elderly Idahoans get the appropriate care at the appropriate time.

These programs allow many of our senior citizens to remain in their own home rather than go into a nursing home where the potential for additional costs to the state are inevitable.

This administration will continue to find efficiencies and savings, but the implications of this measure could have immediate and lasting consequences on our abilities to serve and care for senior citizens.

Because of my commitment to senior citizens, I hereby withhold my approval from, disapprove, and veto **Senate Bill 1144**.

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The question being, “Shall **S 1144** become law, the Governor’s veto notwithstanding?”

On request by Senator Davis, granted by unanimous consent, **S 1144** was recommitted to the Finance Committee.

The Senate advanced to the Ninth Order of Business.

### Messages from the House

Senators Compton, Noble, Noh, and Pearce were recorded present at this order of business.

March 28, 2003

Mr. President:

I transmit herewith **HJM 11** and **H 387**, and I return herewith **S 1102**, as amended, **S 1050**, **SCR 103**, **S 1053**, as amended, **S 1075**, **S 1128**, **SJM 102**, **SJM 103**, **SCR 109**, and **SCR 110**, which have passed the House.

JUKER, Chief Clerk

**HJM 11** and **H 387** were filed for first reading.

**S 1102**, as amended, **S 1050**, **SCR 103**, **S 1053**, as amended, **S 1075**, **S 1128**, **SJM 102**, **SJM 103**, **SCR 109**, and **SCR 110** were referred to the Judiciary and Rules Committee for enrolling.

March 28, 2003

Mr. President:

I transmit herewith Enrolled **HJM 8**, **HCR 17**, **H 11**, **H 331**, **H 255**, as amended in the Senate, and **H 59**, as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President signed Enrolled **HJM 8**, **HCR 17**, **H 11**, **H 331**, **H 255**, as amended in the Senate, and **H 59**, as amended in the Senate, and ordered them returned to the House.

March 28, 2003

Mr. President:

I return herewith **S 1115**, as amended in the House, which has passed the House.

JUKER, Chief Clerk

On request by Acting Senator Roberts, granted by unanimous consent, **S 1115**, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President announced that the House amendments to **S 1115**, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1115**, as amended in the House?"

On request by Acting Senator Roberts, granted by unanimous consent, the Senate concurred in the House amendments to **S 1115**, as amended in the House.

**S 1115**, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

##### **S 1176**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO THE VOLUNTARY CONTRIBUTIONS ACT; AMENDING SECTION 44-2602, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 97, LAWS OF 2003, TO REVISE A DEFINITION; AND AMENDING SECTION 44-2603, IDAHO CODE, AS ADDED BY SECTION 1, CHAPTER 97, LAWS OF 2003, TO REVISE APPLICATION OF THE LIMIT ON CERTAIN CONTRIBUTIONS.

##### **S 1177**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO THE PROHIBITION OF GIFTS TO PUBLIC SERVANTS BY PERSONS SUBJECT TO THEIR JURISDICTION; AMENDING SECTION 18-1356, IDAHO CODE, TO PROVIDE AN EXCEPTION FROM THE PROVISION PROHIBITING GIFTS TO PUBLIC SERVANTS BY PERSONS SUBJECT TO THEIR JURISDICTION FOR EXPENSES PROVIDED TO A PUBLIC SERVANT TO ATTEND CHARITABLE, CULTURAL, INSTRUCTIONAL OR EDUCATIONAL EVENTS AND TO MAKE TECHNICAL CORRECTIONS.

##### **S 1178**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO THE EMERGENCY COMMUNICATIONS ACT; AMENDING SECTION 31-4801, IDAHO CODE, AS AMENDED BY HOUSE BILL 363, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SEVENTH IDAHO LEGISLATURE, TO PROVIDE FOR UTILIZATION OF THE EMERGENCY COMMUNICATIONS FEE BY A 911 SERVICE AREA; AND AMENDING SECTION 31-4804, IDAHO CODE, AS AMENDED BY HOUSE BILL 363, AS ENACTED BY THE FIRST REGULAR SESSION OF THE FIFTY-SEVENTH IDAHO LEGISLATURE, TO PROVIDE FOR REIMBURSEMENT OF TELECOMMUNICATIONS PROVIDERS.

**S 1176**, **S 1177**, and **S 1178** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

**HJM 11**, by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

**H 387**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**H 144**, as amended, by Business Committee, was read the second time at length and filed for third reading.

**S 1174**, by State Affairs Committee, was read the second time at length and filed for third reading.

**H 17**, as amended, by Mr. Speaker, was read the second time at length and filed for third reading.

**H 198**, as amended, by Environmental Affairs Committee, was read the second time at length and filed for third reading.

**H 377** and **H 384**, by Appropriations Committee, were read the second time at length and filed for third reading.

**H 283**, as amended, by Ways and Means Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

On request by Senator Davis, granted by unanimous consent, **S 1133**, as amended, retained its place on the Third Reading Calendar.

**H 218**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen and Acting Senator Roberts arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 31.

NAYS--Davis. Total - 1.

Absent and excused--McWilliams, Noh, Pearce. Total - 3.

Total - 35.

Whereupon the President declared **H 218**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 177**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Ingram and Noble arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Calabretta, Cameron, Davis, Ingram, Kennedy, Keough, Marley, McKenzie, Noble, Pearce, Schroeder, Sweet. Total - 15.

NAYS--Bailey, Burtenshaw, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Little, Lodge, Malepeai, Noh, Richardson, Roberts (Burkett), Sorensen, Stegner, Stennett, Werk, Williams. Total - 19.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the President declared that **H 177**, as amended in the Senate, had failed to pass the Senate and ordered the bill returned to the House.

On request by Senator Davis, granted by unanimous consent, **S 1133**, as amended, having been held, was placed before the Senate for consideration at this time.

**S 1133**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Noh, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Werk. Total - 28.

NAYS--Brandt, Burtenshaw, Geddes, Pearce, Sweet, Williams. Total - 6.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the President declared **S 1133**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

**H 65**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Noh and Calabretta arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Noh, Pearce, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--Brandt. Total - 1.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the President declared **H 65**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 301**, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Bailey, Brandt, Bunderson, Burtenshaw, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Kennedy, Lodge, McKenzie, Noble, Noh, Pearce, Richardson, Roberts (Burkett), Sorensen, Stegner, Sweet, Williams. Total - 23.

NAYS--Andreason, Calabretta, Hill, Keough, Malepeai, Marley, Schroeder, Stennett, Werk. Total - 9.

Absent and excused--Ingram, Little, McWilliams. Total - 3.

Total - 35.

Whereupon the President declared **H 301**, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

**H 169**, as amended, as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Little, Lodge, McKenzie, Noble, Noh, Pearce, Richardson, Schroeder, Sorensen, Stegner, Sweet, Werk, Williams. Total - 28.

NAYS--Kennedy, Keough, Malepeai, Marley, Roberts (Burkett), Stennett. Total - 6.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the President declared **H 169**, as amended, as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

The President called Senator Williams to the Chair.

**H 149**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Calabretta arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noh, Pearce, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Ingram, McWilliams, Noble. Total - 3.

Total - 35.

Whereupon the Acting President declared **H 149** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **H 264** retained its place on the Third Reading Calendar for one legislative day.

**H 339** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Compton arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noh, Pearce, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 33.

NAYS--None.

Absent and excused--McWilliams, Noble. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 339** passed, title was approved, and the bill ordered returned to the House.

**H 327** was read the third time at length, section by section, and placed before the Senate for final consideration. Senators Sweet, Ingram, and Werk arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Noh, Pearce, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 327** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, **H 322** retained its place on the Third Reading Calendar for one legislative day.

**H 357** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Sorensen arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bailey, Brandt, Bunderson, Burtenshaw, Calabretta, Cameron, Compton, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Ingram, Kennedy, Keough, Little, Lodge, Malepeai, Marley, McKenzie, Noble, Noh, Pearce, Richardson, Roberts (Burkett), Schroeder, Sorensen, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--McWilliams. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 357** passed, title was approved, and the bill ordered returned to the House.

The President returned to the Chair.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:55 a.m. until the hour of 9 a.m., Tuesday, April 1, 2003.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary